

Applicant: Norman Latov et al.
Serial No.: 10/088,775
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Remarks

Claims 1-4 and 7-35 are pending and under examination in the subject application. Applicants have hereinabove amended claims 1, 2, 4, 7, 20, and 27, and canceled claim 13 without disclaimer or prejudice to applicants' right to pursue the subject matter of this claim in the future. Applicants maintain that the amendments to the claims raise no issue of new matter. Support for the amendments to claim 1 can be found in the specification as originally filed at, *inter alia*, page 12, lines 4-17; and at page 31, lines 7-8. Support for the amendments to claim 2 can be found in the specification as originally filed at, *inter alia*, page 13, line 25 to page 14, line 18; and at page 31, lines 7-8. Support for the amendments to claim 4 can be found in the specification as originally filed at, *inter alia*, page 14, lines 23-27. Support for the amendments to claim 7 can be found in the specification as originally filed at, *inter alia*, page 16, lines 8-28; and at page 31, lines 7-8. Support for the amendments to claim 20 can be found in the specification as originally filed at, *inter alia*, page 18, lines 24-29; page 16, lines 8-28; page 16, line 30 to page 17, line 19; and at page 31, lines 7-8. Support for the amendments to claim 27 can be found in the specification as originally filed at, *inter alia*, page 16, lines 8-28; at page 9, line 26, to page 10, line 1; and at page 31, lines 7-8. Accordingly, applicants respectfully request entry of this Amendment. After entry of this Amendment, claims 1-4, 7-12, and 14-35 will be pending and under examination.

Claims Rejected Under 35 U.S.C. §112 (Second Paragraph)

In the April 7, 2004 Office Action, the Examiner stated that claims 2-4 and 10-19 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point

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out and distinctly claim the subject matter which applicant regards as the invention. The Examiner stated that recitation of "type of ganglioside" is vague and indefinite.

In response, without conceding the correctness of the Examiner's position, but in order to expedite prosecution, applicants have hereinabove amended the claims to remove the term 'type of'.

Claims Rejected Under 35 U.S.C. §102(b)

The Examiner stated that claims 1-3, 10, and 14-19 are rejected under 35 U.S.C. §102(b) as being anticipated by each of Uhlig et al. (Autoimmunity 5: 87-99, 1989), and that claims 1-3, 10, 13, 14, 18 and 19 are rejected as being anticipated by Uemura et al. (Biochem. J. 219: 865, 1984), for reasons of record taken further in light of the properties of the reagents of Uhlig et al. and Uemura et al. as taught in Beltz et al. (U.S. Patent No. 4,753,873).

In response, applicants respectfully traverse the Examiner's rejection. Specifically, Uhlig et al. does not teach ganglioside affixed by passive adsorption of a ganglioside Ca^{++} salt to at least two separate solid particles as recited in claims 1, 2, 7, 20, and 27. Accordingly, applicants maintain that Uhlig et al. do not teach all the elements of applicants' claimed invention. Similarly, Uemura et al. does not teach ganglioside affixed by passive adsorption of a ganglioside Ca^{++} salt to at least two separate solid particles as recited in claims 1, 2, 7, 20, and 27. Accordingly, applicants maintain that Uemura et al. do not teach all the elements of applicants' claimed invention. Accordingly, applicants respectfully request that the Examiner reconsider and withdraw these grounds of rejection.

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Claims Rejected Under 35 U.S.C. §103(a)

The Examiner stated that claims 1-3, 10, 13, 14, and 17-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Uemura et al. (Biochem. J. 219: 865, 1984) in view of Ravindranaths et al. (J. Biol. Chem. 263: 2079, 1988) and in Beltz et al. (U.S. Patent No. 4,753,873).

In response, applicants respectfully traverse the Examiner's rejection. Specifically, applicants note Uemura et al. in combination with Ravindranaths et al. and Beltz et al. do not teach all the elements of applicants' claimed invention in that the cited references combined do not teach ganglioside affixed by passive adsorption of a ganglioside Ca^{++} salt to at least two separate solid particles as recited in claims 1, 2, 7, 20, and 27. Applicants maintain that the cited references, even if combined as stated by the Examiner, do not teach all the elements of applicants' claimed invention. Accordingly, applicants maintain that the rejected claims define an invention not obvious from the cited references, and therefore respectfully request that the Examiner reconsider and withdraw this ground of rejection.

The Examiner stated that claims 1-3 and 7-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Uhlig et al. (Autoimmunity 5: 87-99, 1989) in view of Dwyer et al., Uemura et al. (Biochem. J. 219 865, 1984), Ravindranaths et al. (J. Biol. Chem. 263 2079, 1988), Pestronk (U.S. Pat. No. 5,443,952), and applicants' admissions regarding the prior art, for the reasons set forth in the prior office action.

In response, applicants respectfully traverse the Examiner's

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rejection. Specifically, applicants note Uhlig et al. in combination with Uemura et al., Dwyer et al., Ravindranaths et al., Pestronk et al. and Beltz et al. do not teach all the elements of applicants' claimed invention in that the cited references combined do not teach ganglioside affixed by passive adsorption of a ganglioside Ca^{++} salt to at least two separate solid particles as recited in claims 1, 2, 7, 20, and 27. Applicants maintain that the cited references, even if combined as stated by the Examiner, do not teach all the elements of applicants' claimed invention. Accordingly, applicants maintain that the rejected claims define an invention not obvious from the cited references, and therefore respectfully request that the Examiner reconsider and withdraw this ground of rejection.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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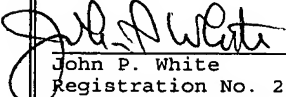
No fee is deemed necessary in connection with the filing of this Amendment. If any such fee is required, however, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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